

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KEVIN JONES,

Plaintiff,

v.

USIC,

Defendant.

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No. 4:21-cv-00641-SRC

Order of Dismissal

Plaintiff Kevin Jones filed this action on June 7, 2021, alleging employment discrimination against defendant USIC under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.* On June 25, 2021, on its own motion, the Court issued a memorandum and order requiring plaintiff to submit a copy of his right-to-sue letter and his charge of discrimination. *See* Doc. 5. Plaintiff did not file the requested documents within the time allowed, and the Court issued an Order of Dismissal and a separate Judgment dismissing this case without prejudice for failure to comply with a court order. *See* Docs. 6 and 7.

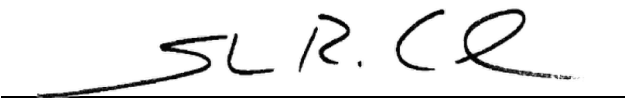
Within days of the dismissal of this action, plaintiff filed another employment discrimination complaint against defendant USIC under this case number. The Court vacated its prior Order of Dismissal and Judgment, reopened plaintiff's case, and again asked him to file a copy of his right-to-sue letter and his charge of discrimination. Plaintiff has not complied with the Court's order, and the time for doing so has passed.

To initiate a claim under Title VII a party must timely file a charge of discrimination with the EEOC and receive a right-to-sue letter. *Stuart v. General Motors Corp.*, 217 F.3d 621, 630 (8th Cir. 2000). Twice Jones has failed to provide the Court with a copy of his right-to-sue letter or his charge of discrimination. *See* Docs. 5 and 11. Each time the Court warned that failure to comply

with its order would result in dismissal of this action. *Id.* As a result, the Court dismisses this action without prejudice pursuant to Federal Rule of Civil Procedure 41(b). *See Widtfeldt v. Daugherty*, 587 F. App'x 992 (8th Cir. 2014); *Coleman v. Newton*, 334 F. App'x 52, 53 (8th Cir. 2009); *Bullock v. United States*, 160 F.3d 441, 442 (8th Cir. 1998).

Accordingly, the Court orders that plaintiff's action is dismissed without prejudice. *See* Fed. R. Civ. P. 41(b). A separate judgment will accompany this order of dismissal.

Dated this 16th day of February 2022.


STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE